

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Terryett O. Woods,

Plaintiff

v.

Investment Realty Advisors,

Defendant

Case No. 2:24-cv-00477-CDS-NJK

Order Adopting Magistrate Judge's Report  
and Recommendation and Closing Case

[ECF Nos. 1, 3]

Plaintiff Terryett Woods brings this lawsuit against defendant Investment Realty Advisors, alleging that it refuses to return his security deposit. Compl., ECF No. 1-1. Woods asserts that his maintenance requests were ignored and the manager never warned him that smoking inside the apartment was prohibited. *Id.*

Upon screening Woods' complaint and application to proceed *in forma pauperis* (IFP), Magistrate Judge Nancy J. Koppe recommends that I dismiss the complaint without leave to amend for lack of subject-matter jurisdiction. Report and Recommendation (R&R), ECF No. 3. Judge Koppe also recommends that Woods' request to proceed IFP be denied a moot. *Id.*

The deadline for Woods to object to that recommendation was April 24, 2024. *See* LR IB 3-2(a) (stating that parties wishing to object to an R&R must file objections within fourteen days); *see also* 28 U.S.C. § 636(b)(1). As of the date of this order, Woods has neither objected to the R&R nor requested more time to do so. "[N]o review is required of a magistrate judge's report and recommendation unless objections are filed." *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

Still, having reviewed Judge Koppe's R&R, I agree with her findings. Woods' complaint does not establish a basis for subject matter jurisdiction because it identifies no federal cause of

1 action or federal question. *See generally* Compl., ECF No. 1-1. Given the failure to establish subject  
2 matter jurisdiction, the complaint must be dismissed. *See* Cal. Diversified Promotions, Inc. v.  
3 Musick, 505 F.2d 278, 280 (9th Cir. 1974) (“It has long been held that a judge can dismiss sua  
4 sponte for lack of jurisdiction.”). Consequently, Woods’ application to proceed IFP must be  
5 denied as moot.

6 **Conclusion**

7 IT IS THEREFORE ORDERED that the Judge Koppe’s R&R [ECF No. 3] is ADOPTED  
8 in its entirety.

9 IT IS FURTHER ORDERED that this action is dismissed with prejudice; and Woods’  
10 application to proceed *in forma pauperis* [ECF No. 1] is DENIED as moot.

11 The Clerk of Court is kindly directed to enter judgment accordingly and to close this  
12 case.

13 Dated: May 3, 2024

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16 Cristina D. Silva  
17 United States District Judge  
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